

ZB# 70-27

Jules Levine

(no SBL)

PATRICIA DELIO
Notary Public, State of New York
Appointed in Orange County
My Commission expires Mar. 30, 1972

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70-27
Jules P.
Levine

filed 12/20/70
9:00 AM

**PUBLIC NOTICE
OF HEARING BEFORE
THE ZONING BOARD
OF APPEALS**

PLEASE TAKE NOTICE that
THE Zoning Board of Appeals of the
Town of New Windsor, New York
will hold a public hearing pursuant
to Section 48-33A of the Zoning Or-
dinance on the following proposition:
Appeal No. 27
A request of JULES P and
MARION LEVINE for a Variance of
the regulations of the Zoning Or-
dinance, to permit the addition of a
room 14 x 22 ft., being a Variance of
Article IV, Section 48-14, for property
owned by them situated as follows:
No. 13 Stonecrest Drive, Town of
New Windsor, New York.
SAID HEARING will take place
on the 16th of November, 1970
at the Town Hall 555 Union Ave.,
New Windsor, beginning at 8:30
o'clock P.M.

PATRICIA DELIO
Secretary

Nov 6

**State of New York
County of Orange, ss:**

Hugh V. Nocton , being duly sworn deposes and
says that he is Principal Clerk of Newburgh-
Beacon News Co., Inc., Publisher of The Evening News.
a daily newspaper published and of general circulation in
the Counties of Orange and Dutchess, and that the notice
of which the annexed is a true copy was published

..... OneTime
in said newspaper, commencing on the..... 6th day of
November A.D., 19 70 , and ending on
the 6th day of November A.D., 19 70

Subscribed and sworn to before me this
6th
..... day of November 19 70

.....
Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 19 71



Adopted 12/20/65

APPLICATION FOR VARIANCE

Application No. 70-27

Date: October 23, 1970

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

X (We) Jules P. and Marion Levine of No. 13 Stonecrest Drive,
(Street & number)

New Windsor,

New York
(State)

HEREBY MAKE

APPLICATION FOR A VARIANCE:

- A. LOCATION OF THE PROPERTY No. 13 Stonecrest Dr., New Windsor, N.Y., RB zone
(Street & number) (Use district on Zoning Map)
- B. PROVISION OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance: Art. IV - Sec. 48-14)

C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: Our home is in one corner of a triangular shaped piece of property of approximately 1.7 acres. The unique conditions and circumstances are that the house is on a large piece of property, yet built into one corner of it near to the property line; the house is off of Stonecrest Drive on an easement road and not easily seen from the road; the only neighbors are Victor Rocco, who is about 150 ft. west of us and he indicates that he has no objection; also Herbert Resnick, who is about 100 feet south of us and separated by a blind (to be continued on Schedule A)
2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: The reasons here are similar to above. We have a large piece of property, but because our home is built in a corner of same, it prevents our expansion of the house by zoning limitations. We intend to expand our present family of four and need additional bedroom space. I am also an attorney and I intend to use the room as a law study as well as a family room during the day. Other homeowners in the area have homes that have been placed on their lots in a more centralized manner, thus allowing for expansion. In fact, I have noticed that a neighbor is building a structure similar to the one (continued on Schedule A)
3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because: We just moved into the house in August 1969.

4. Relief, if approved will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: The purposes of the Zoning Law applicable to this matter appear to be B, D and E thereof. As to A, there will be no effect on the privacy of families because the proposed structure can hardly be seen by my neighbors, and if it can be seen, would only be visible by Messrs. Rocco and Resnick. Mr. Resnick has a heavily wooded area around his property and a blend fence and there is about a distance of 100 ft. separating our homes (cont'd. on Schedule A)
5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: Other properties in the area already have the room to expand. Secondly, this is one of the few pieces of properties in the area on a large piece of ground yet so limited because of its placement. It is off the road and cannot be seen.

D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

The proposed addition is to be built approximately over a 6 inch concrete platform that already exists on the property and has existed for some years. I have 4 in my family xxx and intend to "expand" same and need the extra room as a family room and a law study so that I may do some work at home.

E. Application to be accompanied by a check, payable to the Town of New Windsor in the amount decided by the Board. Application to be returned to: Secretary of the Zoning Bd. of Appeals.

F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered mail to all abutting land owners as required by Section 9.4.1 of the Ordinance.

G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239m of the General Municipal Law to see if it applies. If so, notify the Orange County Planning Bd.

Dated: November 1, 1970.

STATE OF NEW YORK)
COUNTY OF ORANGE)

SS

Sworn to on this 1th day of November, 1970

Sheila J. Luster
(Notary Public)

Notary Public, State of New York

Jules P. Levine
Signature of Applicant
JULES P. LEVINE

13 Stonecrest Drive
Address
New Windsor, N. Y. 12550
56 2-0203

Telephone No.

DO NOT WRITE IN THIS SPACE

Application No. 70-27
Date of Hearing 11/16/70
Date of Decision 12/7/70

Date Received 10/23/70
Notice Published 11/6/70

DECISION:

Granted.

(To be attached to Application No. 70-27)

Schedule A

1. wooden fence. The proposed addition will be near the fence.
No other home in the area appears to be built as near the lot line as ours yet so far off the road as ours. In fact, I doubt that any one will see the addition if built, since the angle of our home and large trees block view of same. At the location of the proposed addition is a 6 inch concrete platform which is settling and causing water to go into our basement.
2. I would wish to construct right now, although her lot appears smaller.
3. so his privacy will not be invaded. Mr. Rocco is below my house on a lower grade and my house and trees block any view he might have. Further he has indicated he has no objection to this application. As to D & E, protection of residential areas is an enhancement of the Town. The proposed addition can only add to these purposes as it will increase the value of the home and the town and the structure will blend into the present home without offense to anyone.
4. On first sheet.
5. On first sheet.



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OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

October 24, 1970

Mr. Jules Levine
13 Stonecrest Drive
New Windsor, New York 12550

Dear Sir:

According to my records, the attached list of property owners are within the five hundred (500) feet of the property you inquired about.

The charge for this service is \$15.00. Please remit same to me, c/o the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York 12550, making the check payable in my name.

Respectfully,

Ellsworth E. Weyant, pt

ELLSWORTH E. WEYANT
Chairman
Board of Assessors
Town of New Windsor

EEW:pt
Enc.



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Mr. Jules Levine

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

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✓ Donald & Pamela W. Bartlett
11 Lucas Drive
New Windsor, New York 12550

✓ Theodore & Nellie Jargstorff
156 Quassaick Avenue
New Windsor, New York 12550

✓ John & Virginia Sears
2 Stonecrest Drive
New Windsor, New York 12550

✓ John & Hilda Pluchino
4 Stonecrest Drive
New Windsor, New York 12550

✓ Vincent J. & Elizabeth H.
Muscarella
6 Stonecrest Drive
New Windsor, New York 12550

✓ Robert & Anne Reis
8 Stonecrest Drive
New Windsor, New York 12550

✓ Jerald & Rachel P. Fiedelholz
10 Stonecrest Drive
New Windsor, New York 12550

✓ Anthony & Carmella Mancinelli
12 Stonecrest Drive
New Windsor, New York 12550

✓ Carmine & Louise DaMario
134 Walsh Road
New Windsor, New York 12550

✓ Robert M. & Agens C. Shumskis
25 Hilltop Drive
New Windsor, New York 12550

✓ John & Mary L. Pituski
27 Hilltop Drive
New Windsor, New York 12550

✓ Gus & Efthalia Tomasides
29 Hilltop Drive
New Windsor, New York 12550

✓ Peter C. & Anna M. LeRose
31 Hill-top Drive
New Windsor, New York 12550

✓ Alfred C. & Catherine Ann DiCesare
7 Stonecrest Drive
New Windsor, New York 12550

✓ P. Robert & Catherine B. McDonald
9 Stonecrest Drive
New Windsor, New York 12550

✓ Russell H. Jr. & Carol M. Carrier
11 Stonecrest Drive
New Windsor, New York 12550

✓ Robert G. & Lucy M. Pisacnona
16 Stonecrest Drive
New Windsor, New York 12550

✓ Raymond & Gladys Patnode
18 Stonecrest Drive
New Windsor, New York 12550



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OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Mr. Jules Levine
Sheet 2

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

★ Charles H. & Jean M. Edge
Thompson Ridge, New York 10985
(c/o Ronald H. Buckner)

E. William & Marilyn G. Austin
23 Stonecrest Drive
New Windsor, New York 12550

Ronald H. Buckner
21 Stonecrest Drive
New Windsor, New York 12550

John F. & Mary A. Barton
19 Stonecrest Drive
New Windsor, New York 12550

Vincent Sr. & Mildred Rocco
111 Washington Terrace
Newburgh, New York 12550

Victor J. Jr. & Karen Marie Rocco
15 Stonecrest Drive
New Windsor, New York 12550

Jules P. & Marion B. Levine
13 Stonecrest Drive
New Windsor, New York 12550

Michael & Rose Grieco
3 Stonecrest Drive
New Windsor, New York 12550

Thomas G. & Mildred C. Dowd
135 Quassaick Avenue
New Windsor, New York 12550

Charles & Eleanor DiMaria
164 Quassaick Ave.
New Windsor, New York 12550

Dominick C. & Rose Z. Franchini
166 ~~XXX~~ Quassaick Ave.
New Windsor, N. Y. 12550

Mary G. DeHart P. O. Box 534
Cornwall - on - Hudson, N. Y.

★ Richard T. & Lucille H. Walsh
172 Quassaick Avenue
New Windsor, New York 12550

Richard B. & Carol S. Russell
174 Quassaick Ave.
New Windsor, New York 12550

Herbert R. & Shirley C. Resnick
176 Quassaick Ave.
New Windsor, New York 12550

Robert J. Jr. & Mary Edge
11 Clintonwood Drive
New Windsor, New York 12550

Dr. Arthur G. & Catherine O'Leary
15 Clintonwood Drive
New Windsor, New York 12550

Cornell Homes, Inc.
P. O. Box 1021
Newburgh, New York 12550

Elias D. & Brenda F. Grevas
5 Jennifer Ct.
New Windsor, New York 12550

Raymond J. & Blanche Y. Cote
4 Jennifer Ct.
New Windsor, New York 12550

Vincent A. & Lois H. DeBerto
2 Jennifer Ct.
New Windsor, New York 12550

Allan & Adele H. Bettcher
19 Clintonwood Drive
New Windsor, New York 12550



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OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Mr. Jules Levine
Sheet 3

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

John A. & Lillian A. Weiss
21 Clintonwood Drive
New Windsor, New York 12550

Ellsworth & Georgina Weyant
23 Clintonwood Drive
New Windsor, New York 12550

Respectfully submitted,

Ellsworth E. Weyant, pt
ELLSWORTH E. WEYANT
Chairman
Board of Assessors
Town of New Windsor

EEW:pt

7 Union Avenue
New Windsor, N. Y. 1580
December 1, 1970

Howard J. Ollett, Sr., Assessor
Town of New Windsor
Town Hall - 555 Union Avenue
New Windsor, N. Y. 1580

Re: Application No. 70-17
Jules P. & Marion Levine

Dear Howard:

Please be advised that the above variance has
been granted to Jules and Marion Levine.

Decision was made at a meeting of the Planning
Board of Appeals held Monday, December 7, 1970.

Yours very truly,

THOMAS A. BLANKINSHIP
Chairman

cc: Mr. John J. Blum, Jr., Mayor
The above is a true and correct copy of the original.

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date Oct 22, 1970

To Jules + Marion Levine
13 Stonecrest Drive
New Windsor

PLEASE TAKE NOTICE that your application dated Oct 22, 1970

for permit to add room 14x22

at the premises located at 13 Stonecrest Drive

is returned herewith and disapproved on the following grounds:

Side yard existing 17 feet — with addition of 14 feet into
side yard the building would only be three feet from lot line.
a variance of 9 feet would be required.

Howard R. Caruso
Building Inspector

One copy of application
and plans being held
pending variance —

13 Stonecrest Drive
New Windsor, N. Y.
November 1, 1970

Dear Neighbor:

Please take notice that the Zoning Board of Appeals of the Town of New Windsor, New York, will hold a public hearing pursuant to Sec. 48-33A of the Zoning Ordinance on the following proposition;

Request for a variance from pertinent provisions of Art. V, Sec. 48-14 of the Zoning Ordinance so as to permit a 14 x 22 ft. addition to our home, located at No. 13 Stonecrest Drive, Town of New Windsor, New York.

The above mentioned hearing will be held on the 16th day of November, 1970 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York, at 8:30 p.m.

Very truly yours,


Jules P. and Marion Levine

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined 19..70

Approved 19.....

Disapproved a/c 10/22

Permit No.

Refer —

Planning Board

Highway

Sewer

Water

Zoning Board of Appeals

Office of Building Inspector
HOWARD COLLETT, Building Inspector
Town Hall, 555 Union Avenue
New Windsor, N. Y.

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date Oct 22, 1970

INSTRUCTIONS

a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.

b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.

c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.

d. The work covered by this application may not be commenced before the issuance of Building Permit.

e. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.

f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances and regulations.

Larry D. Conneri
(Signature of Applicant)

16 BAIDGET NEWBURGH, N.Y.
(Address of Applicant)

State whether applicant is owner, lessee, agent, architect, engineer or builder:

Name of owner of premises: JULES & MARION LEVINE

If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. Location of land on which proposed work will be done 13 STONE CREST DR
NEW WINDSOR, N.Y.
2. State existing use and occupancy of premises and intended use and occupancy of proposed construction:
 - a Existing use and occupancy
 - b Intended use and occupancy
3. Nature of work (check which applicable): New Building Addition ☒ Alteration
Repair Removal Demolition
4. Estimated cost* 2000.00 Fee
(to be paid on filing this application)
5. If dwelling, number of dwelling units Number of dwelling units on each floor
If garage, number of cars
6. If business, commercial or mixed occupancy, specify nature and extent of each type of use ☒
7. Dimensions of existing structures, if any: Front 58 Rear 58
Depth 33 Height 14 Number of Stories 1
8. Dimensions of same structure with alterations or additions: Front 72 Rear 72
Depth 22 Height 8 ft Number of Stories 1
9. Dimensions of entire new construction: Front 14 Rear 14 Depth 22
Height 8 ft Number of Stories 1

10. Size of lot: Front Rear Depth Front Yard
Rear Yard Side Yard Is this a corner lot?
11. Zone or use district in which premises are situated.....
.....
12. Does proposed construction violate any zoning law, ordinance or regulation? *NID*.....
.....
13. Name of Compensation Insurance Carrier *TOMPKINS & BAXTER INC*.....
Number of Policy *L1651156*..... Date of Expiration *MAY 1973*.....
14. Name of Owner of Premises *JULIES & MARION LEVINE*.....
Address *13 STONECREST DR*..... Phone No. *565-5625*.....
Name of Architect
Address Phone No.
Name of Contractor *LARRY DOMENICUCCI*.....
Address *16 BRIDGE ST NEW YORK N.Y.*..... Phone No. *dc 2-4463*.....
15. Will electrical work be inspected by, and a Certificate of Approval obtained from, the New York Board of Fire Underwriters or other agency or organization? *YES*
If so, specify
16. IMPORTANT: Do not pour footings until the location of building on lot, and soil has been inspected.
17. Before a Certificate of Occupancy can be issued, a certified survey must be filed. (May be waived.)
18. Walls not to be lathed until Department inspection is made.
19. Defer backfilling until waterproofing of foundation is approved by Department.

* —

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

SHOW PLOT PLAN ON NEXT PAGE